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10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

13 Plaintiff,

14 vs.

15 UBER TECHNOLOGIES, INC.;  
16 OTTOMOTTO LLC; OTTO TRUCKING  
LLC,

17 Defendants.

CASE NO. 3:17-cv-00939-WHA

**PLAINTIFF WAYMO LLC'S  
ADMINISTRATIVE MOTION TO FILE  
UNDER SEAL ITS MOTION IN LIMINE  
NO. 15**

Pursuant to Civil L.R. 7-11 and 79-5, Plaintiff Waymo LLC (“Waymo”) respectfully requests to file under seal information in its Motion in Limine No. 15. Specifically, Waymo requests an order granting leave to file under seal the portions of the documents as listed below:

Document	Portions to Be Filed Under Seal	Designating Party
Portions of Waymo’s Motion in Limine No. 15 (“Waymo’s Motion”)	Portions highlighted in green	Waymo
Exhibit 2 to Waymo’s Motion	Entire document	Waymo
Exhibit 37 to Uber’s Opposition to Waymo’s Motion in Limine 15 (“Uber’s Opposition”)	Entire document	Waymo
Exhibit 39 to Uber’s Opposition	Entire document	Waymo
Exhibit 40 to Uber’s Opposition	Entire document	Waymo
Exhibit 42 to Uber’s Opposition	Entire document	Waymo
Exhibit 43 to Uber’s Opposition	Entire document	Waymo
Exhibit 44 to Uber’s Opposition	Entire document	Waymo
Exhibit 46 to Uber’s Opposition	Entire document	Waymo

#### **I. LEGAL STANDARD**

Civil Local Rule 79-5 requires that a party seeking sealing “establish[] that the document, or portions thereof, are privileged, protectable as a trade secret or otherwise entitled to protection under the law” (*i.e.*, is “sealable”). Civil L.R. 79-5(b). The sealing request must also “be narrowly tailored to seek sealing only of sealable material.” *Id.*

#### **II. THE COURT SHOULD SEAL WAYMO’S CONFIDENTIAL INFORMATION**

The Court should seal the portions of Waymo’s Motion (highlighted in green) and exhibits thereto, and the exhibits to Uber’s Opposition as identified in the table above. Waymo seeks to file this information under seal because it discloses Waymo confidential business information. *See* Cooper Dec., ¶ 3. Confidential business information that, if released, may “harm a litigant’s competitive standing” also merits sealing. *See Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 598-99 (1978). Waymo also seeks to seal confidential details regarding the results of Waymo’s efforts in searching for documents in this litigation, and details regarding Waymo’s security measures and protocols and detailed computer forensics regarding access to Waymo’s trade secrets. Cooper Dec. ¶ 3. Waymo has narrowly tailored its requests to only information meriting sealing. *Id.* The

1 disclosure of Waymo's confidential business information and security measures and related protocols  
2 would harm Waymo. Cooper Dec. ¶ 3. Waymo seeks to seal information that fits squarely within  
3 these categories. Moreover, the scope of information that Waymo is seeking to seal is consistent with  
4 other administrative motions to seal that have already been granted by the Court in this case. (*See*  
5 Dkt. 681.) Thus, the Court should grant Waymo's administrative motion to seal.

6 **III. CONCLUSION**

7 In compliance with Civil Local Rule 79-5(d), redacted and unredacted versions of the  
8 above listed documents accompany this Administrative Motion. For the foregoing reasons,  
9 Waymo respectfully requests that the Court grant Waymo's Administrative Motion.

10  
11 DATED: September 13, 2017

QUINN EMANUEL URQUHART & SULLIVAN,  
LLP

12  
13 By /s/ Charles Verhoeven

Charles Verhoeven  
Attorneys for WAYMO LLC